GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department - Diversion of an area of 46.64 ha to facilitate early start of work in the proposed diversion area for the critical components of the project like "Power House & TRC outlet (22.50 ha.), Pen stock (6.96 ha.), Intake structure (8.02 ha.), Tail race channel (2.43 ha.) and internal roads (6.73 ha.) altogether in 46.64 ha, out of 365.66 ha for the proposal for diversion of 365.66 ha of forest land in Compartment Nos.113, 114,115, 116 and 117 of Gani RF, Kurnool Range, Kurnool Division for establishment of Integrated Renewable Energy Project, Pinnapuram in favour of M/s Greenko Energies Pvt. Ltd., Hyderabad – Final (State-II) approval – Accorded

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ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Sec.II) DEPARTMENT

G.O.MS.No. 35 **Dated: 09-06-2021.**

Read the following:

1)From the PCCF(HoFF), A.P., Guntur, Lr.Rc.No.EFS02-15036/2/2018/FCA-SEC PCCF/FCA-3, Dt.07.06.2019.
2)State Govt.Lr.No.1926/Section-II/2019, EFS&T(Sec.II) Dept., dt.12-11-2019.
3)From the DIGF, GoI, MoEF&CC, New Delhi, Lr.File No.8-32/2019-FC, dt.23.04.2020 and even No.dt:28.04.2020 and 13.05.2020.
4)State Govt.Lr.No.1926/Sec.II/2019, EFS&T(Sec.II) Dept., dt.08.08.2020.
5)From PCCF (HoFF), Lr.Rc.No.EFS02/15036/2/2018/FCA SEC-PCCF/FCA-3, Dated.21.08.2020.
6)State Govt.Lr.No.1926/Sec.II/2019, EFS&T(Sec.II) Dept., dt.25.08.2020.
7)From the DIGF, MoEF&CC, GoI, New Delhi, Lr.File No.8-32/2019-FC, dt.14.09.2020.
8)State Govt.Lr.No.1926/Sec.II/2019, EFS&T(Sec.II) Dept., dt.16.10.2020.
9)The DIGF, GoI, MoEF&CC(FC Division) , New Delhi, Lr.File No.8-32/2019-FC, dt.24.12.2020.
10)From the Authorized Signatory, M/s.Greenko Energies Pvt.Ltd., Jubilee Hills, Hyderabad, Lr.Ref.GEPL/PSP/FC/210106, 06.01.2021.
11)State Govt.Lr.No.1926/Sec.II/2019, EFS&T(Sec.II) Dept., dt.08.01.2021.
12)State Govt.Lr.No.1926/Sec.II/2019, EFS&T(Sec.II) Dept., dt.22.01.2021.
13)From the AIGF, GoI, MoEF&CC, New Delhi, Lr.File.No.8-32/2019-FC, Dt.01.02.2021.
14)State Govt.Lr.No.1926/Sec.II/2019, EFS&T(Sec.II) Dept., dt.05.02.2021.
15)From the AIGF, GoI, MoEF&CC, New Delhi, Lr.File No.8-32/2019-FC, dt.11.02.2021.
16)From the PCCF&HoFF, Lr.Ref.No.EFS02-15036/2/2018/FCA SEC-PCCF/FCA-3, Dated: 08.04.2021 and even no.letters dt.17.04.2021.
17) State Govt.Lr.No.1926/Sec.II/2019, EFS&T(Sec.II) Dept., dt.19.04.2021.
18)From the AIGF, GoI, MoEF&CC, New Delhi, Lr.File No.8-32/2019-FC, Dt.24.05.2021.
19)Govt.Memo.No.1926/Section.II/2019, EFS&T (Sec.II) Dept., dated.26.05.2021.
20)From PCCF & HoFF, Lr.Rc.No.EFS02/15036/2/2018/FCA SEC-PCCF/FCA-3, Dated.02.06.2021.

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ORDER:

In the letter 1st read above, the Principal Chief Conservator of Forests & Head of Forest Force has submitted a statutory proposal along with necessary enclosures for diversion of 365.66 Ha of forest land in Compt. Nos. 113, 114, 115, 116 & 117 of Gani RF, Bethamcherla Section, Kurnool Range, Kurnool Division for establishment of 1200 MW Integrated Renewable Energy Project, Pinnapuram in favour of M/s Greenko Energies Pvt., Ltd., Hyderabad and requested to forward the same to Government of India, New Delhi for consideration of the proposal under Section -2 of Forest (Conservation) Act, 1980.

2. In the letter 2nd read above, the proposal of the Principal Chief Conservator of Forests was sent to Government of India, Ministry of Environment & Forests, New Delhi for their approval under Section-2 of Forest (Conservation) Act, 1980.

3. In the letter 3rd read above, the Ministry of Environment, Forests & Climate Change, Government of India, New Delhi have accorded in-principle/ Stage-I approval for non-forestry use of forest land having extent 365.66 Ha in Compt. Nos. 113,114,115, 116 & 117 of Gani RF, Kurnool Range, Kurnool Division for establishment of Integrated Renewable Energy Project, Pinnapuram in favour of M/s. Greenko Energies Pvt., Ltd., Hyderabad, subject to fulfillment of certain conditions stipulated therein.

4. In the letter 6th read above, the State Government furnished the compliance report on the conditions stipulated by the Government of India, Ministry of Environment, Forests & Climate Change, New Delhi while according in-principle (Stage-I) approval.

5. In the letter 9th read above, the Government of India, Ministry of Environment, Forests & Climate Change, New Delhi has sought information on certain points for further consideration of the proposal for grant of Stage-II approval, wherein one of the points on which information sought was that the User Agency has not deposited the CA amount neither has mutated the CA land in favour of State Forest Deparment. Instead the User Agency has submitted undertakings stating the within six months the CA amount will be transferred and within 12 months the CA land will be transferred and mutated in favour of Forest Deparment after the Stage-II approval.

6. In the letter 12th read above, the State Government informed the Government of India, Ministry of Environment, Forests & Climate Change, New Delhi that the Authorized Signatory, M/s.Greenko Energies Pvt. Ltd., Hyderabad has registered an extent of 48.80 ha. or 120.65 Acres (101.56 Acres in Kamireddypadu village and 19.09 Acres in Mangupali village) in favour of the Governor of Andhra Pradesh (State Forest Department) vide document No.150 of 2021, dated:19.01.2021 registered at Office of Joint Sub – Registrar, Atmakur towards part CA on the subject proposal. The User Agency vide letter dt.29.12.2020, has requested to allow them to start construction in the proposed diversion area for critical components of their project like "Power House & TRC outlet (22.50 ha.), Pen stock (6.96 ha.), Intake structure (8.02 ha.), Tail race channel (2.43 ha.) and Internal roads (6.73 ha.) altogether in 46.64 ha, out of 365.66 ha. required for the project.

7. In the letter 15th read above, the Government of India, Ministry of Environment, Forests & Climate Change, New Delhi has sought some more information on the points mentioned therein, and one of the points on which information was sought is copy of notification vide which the proposed land for CA is declared as RF/PF, for further consideration of the proposal.

8. In the letter 17th read above, the State Government furnished the information / documents as desired by the Government of India, Ministry of Environment, Forests & Climate Change in the letter 15th read above and a copy of the G.O.Ms.No.22, EFS&T(Sec.II) Dept., dt.16.04.2021, notifying the Kamireddipadu Block to an extent of Ac.155.66 cents or 62.99 Ha. (part area) of Compensatory Aforestation land in Sy.Nos.7-2, 9-5 etc., Kamireddipadu Village of Ananthasagaram Mandal, Nellore District as Protected Forest under section 24 of Andhra Pradesh Forest Act, 1967 (Andhra Pradesh Act No.1 of 1967) was enclosed and requested to consider the same and issue orders in the matter.

9. In the letter 18th read above, the Government of India, Ministry of Environment, Forests & Climate Change, New Delhi have accorded the Final approval / Stage - II Clearance (part approval for an area of 46.64 ha) under Section-2 (ii) of the Forest (Conservation) Act, 1980 for an area of 46.64 ha to facilitate early start of work on certain components of the project in the proposed diversion area for the critical components of the project like "Power House & TRC outlet (22.50ha.), Pen stock (6.96 ha.), Intake structure (8.02 ha.), Tail race channel (2.43 ha.) and internal roads (6.73 ha.) altogether in 46.64 ha, out of 365.66 ha for the proposal for diversion of 365.66 hectare (i.e. 319.02 ha. for Lower Reservoir + 22.50 ha. for Power House & TRC Outlet + 6.96 ha. for Penstock + 8.02 Ha for Intake Structure + 2.43 ha. for Tail Race Channel and 6.73 ha. for Internal Roads) of forest land in Compartment Nos. 113, 114, 115, 116 and 117 of Gani RF, Kurnool Range, Kurnool Division for establishment of Integrated Renewable Energy Project, Pinnapuram in favour of M/s Greenko Energies Pvt. Ltd., Hyderabad, subject to certain conditions stipulated therein.

10. In the Memo.19th read above, the Principal Chief Conservator of Forests & Head of Forest Force was requested to obtain and furnish the compliance report on the Stage-II conditions stipulated by the Government of India, Ministry of Environment, Forests & Climate Change, New Delhi in the letter 18th read above, for taking further necessary action in the matter.

11. In the letter 20th read above, the Principal Chief Conservator of Forests & Head of Forest Force, has furnished the Stage-II compliance report on the conditions stipulated in Part-A of Government of India letter 18th read above, and requested the Government to consider the same and issue suitable orders.

12. After careful examination of the proposal and in view of the final approval/Stage-II clearance (part of approval for an area of 46.64 ha) accorded by Government of India, Ministry of Environment, Forests & Climate Change, New Delhi under Section-2 of Forest (Conservation) Act, 1980, the Governemnt hereby accord permission to the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, for diversion of an area of 46.64 ha to facilitate early start of work for certain components of the project in the proposed diversion area for the critical components of the project like "Power House & TRC outlet (22.50 ha.), Pen stock (6.96 ha.), Intake structure (8.02 ha.), Tail race channel (2.43 ha.) and internal roads (6.73 ha.) altogether in 46.64 ha, out of 365.66 ha for the proposal for diversion of 365.66 ha (i.e. 319.02 ha. for Lower Reservoir + 22.50 ha. for Power House & TRC Outlet + 6.96 ha. for Penstock + 8.02 Ha for Intake Structure + 2.43 ha. for Tail Race Channel and 6.73 ha. for Internal Roads) of forest land in Compartment Nos.113, 114, 115, 116 and 117 of Gani RF, Kurnool Range, Kurnool Division for establishment of Integrated Renewable Energy Project, Pinnapuram in favour of M/s Greenko Energies Pvt. Ltd., Hyderabad, subject to the following conditions:-

i. Legal status of the forest land shall remain unchanged.
ii. The State Forest Department shall ensure that the remaining identified CA land i.e 337.54 ha (400.53-62.99 ha) area is transferred and mutated in the name of Forest Department and notified as RF/PF within three months from handing over the forest land to the User Agency. A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted to the MoEF&CC, GoI through the State Govenrment.
iii. It should be ensured that the forest compartments (compartment Nos. 113, 114, 115, 116 and 117), which are getting adversely affected may be taken care of and afforestation (for improving canopy density from 'open' to 'moderately dense forest') may be taken up by the Forest Department at the cost of User Agency only to stabilise the rim of the reservoir i.e. 100 mts from the periphery of the HFL. Rest of the forest areas of affected compartments shall be taken up for improving canopy density through NPV, collected from this project;
iv. The State Forest Department should ensure that the User Agency will allow use of road infrastructure within project area to common public;
v. The State Forest Department should ensure that as per site inspection report, over an extent of 8.15 ha within the 408.68 ha of non-forest land surveyed for compensatory afforestation is in the nature of streams / cart road / government lands etc. Hence, this 8.15 ha area shall be demarcated suitably;
vi. The State Forest Department should ensure that the User Agency shall raise avenue plantation on either side of the road proposed in the proposal, at the project cost;
vii. Compensatory afforestation shall be taken up by the Forest Department over 62.99 ha non-forest (part area) land in Sy.Nos.7-2, 9-5 etc., Kamireddipadu Village of Ananthasagaram Mandal, SPSR Nellore District at the cost of the User Agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
viii. User Agency shall restrict the felling of trees to minimum numbers in the diverted forest land and trees shall be felled under strict supervision of the State Forest Department.
ix. The felling of trees shall be restricted to FRL-4 meter only and felling of trees shall be carried out by the State Forest Department. Number of trees to be removed shall be kept at barest minimum during the execution of the project.
x. The Catchment Area Treatment Plan (CAT) shall be implemented as per approved scheme, if applicable;
xi. User agency shall undertake afforestation along the periphery of the reservoir.
xii. The layout plan of the proposal shall not be changed without prior approval of Central Government.
xiii. No labour camps shall be established on the forest land.
xiv. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labour after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
xv. The User Agency shall provide free water from the project for all forestry related activities;
xvi. No damage to the flora and fauna of the adjoining area shall be caused;

xvii. The concerned Divisional Forest Officer will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;

xviii. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.

xix. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.

xx. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the User Agency or the project life, whichever is less.

xxi. The User Agency and the State Forest Department shall ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project.

xxii. The forest land shall not be used for any purpose other than that specified in the project proposal.

xxiii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.

xxiv. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;

xxv. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/ 2017-FC, dt 29/ 01/ 2018. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

13. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

VIJAY KUMAR GSRKR
SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Guntur.

Copy to:

The Assistant Inspector General of Forests,
GoI, MoEF&CC (FC Division),
Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road, New Delhi – 110 003.

The Inspector General of Forests (Central),
GoI, MoEF&CC, IRO, Vijayawada,
Green House Complex,
Gopal Reddy Road, Vijayawada-520 010.

M/s.Greenko Energies Private Limited, Hyderabad.

// FORWARDED :: BY ORDER //

SECTION OFFICER